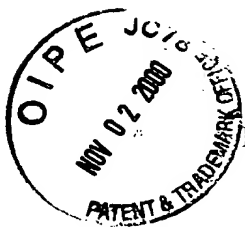


GAU 1653

DOCKET NO.: PUJ-0041 (6195.NCN1)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

In Re Application of:  
Marotti, Poorman, Wells and  
Shinabarger

Serial No.: 09/322,732

Group Art Unit: 1653

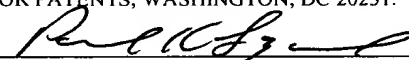
Filing Date: May 28, 1999

Examiner: D. Srivastava

For: ELONGATION FACTOR P (EFP) AND ASSAYS AND ANTIMICROBIAL  
TREATMENTS RELATED TO THE SAME

DATE OF DEPOSIT: October 30, 2000

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID  
ON THE DATE INDICATED ABOVE AND IS  
ADDRESSED TO THE ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON, DC 20231.

  
TYPED NAME: Paul K. Legaard  
REGISTRATION NO.: 38,534

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

### AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment, Response to the Restriction Requirement, Responsive to the Office Action Dated September 29, 2000.
- ☐ An Amendment Supplemental to the Paper filed \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.
- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 was established in a previous submission.

- ☐ A Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
  - ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: \_\_\_\_\_ .
- ☐ Other Material as follows: \_\_\_\_\_ .

## FEE CALCULATION

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☒ No Additional Fee is Due.

	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	SMALL ENTITY		NOT SMALL ENTITY	
				RATE	FEE	RATE	FEE
TOTAL CLAIMS		(20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS		(3 MINIMUM)		\$40 EACH	\$	\$80 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$135	\$	\$270	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$195	\$	\$390	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$445	\$	\$890	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$690	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$945	\$	\$1890	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$

- ☐ A Check is Enclosed in the Foregoing Amount Due.
- ☐ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit

account 23-3050. This sheet is provided in duplicate.

☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.

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☐ The Foregoing Amount Due for Filing this Paper.


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☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.

☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: October 30, 2000

  
Paul K. Legaard  
Registration No. 38,534

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Telephone: (215) 568-3100  
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DOCKET NO.: PUJ-0041 (6195.NCN1)

#9  
11/11/00  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Marotti, Poorman, Wells and Shindberger

Serial No.: 09/322,732

Filed: May 28, 1999

Group Art Unit: 1653

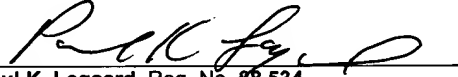
Examiner: D. Srivastava

For: **ELONGATION FACTOR P (EFP) AND ASSAYS AND ANTIMICROBIAL TREATMENTS RELATED TO THE SAME**

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I, Paul K. Legaard, Registration No. 38,534 certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On October 30, 2000

  
Paul K. Legaard Reg. No. 38,534

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

Dear Sir:

**RESPONSE TO THE RESTRICTION REQUIREMENT**

The present Response is filed in regard to the Restriction Requirement mailed September 29, 2000 in connection with the above-identified patent application.

The Examiner has restricted claims 1-141 into nine groups. According to the Examiner, group I contains claims 1-8, 15-18 and 140-141, group II contains claims 9-12, 15-20, 31-34, 39-44, 55-58, 63-66, 68, 79-82, 87-92, 123 and 133, group III contains claims 13-14, 15-19, 21-30, 39-42, 45, 56-54 [sic], 61-66, 69-78, 85-91, 93 and 134-139, group IV contains claims 35-38, 43, 59, 63-66, 83-84 and 87-91, group V contains claims 94-103 and 114-117, group VI contains claims 104-108 and 114-117, group VII contains claims 109-117, group VIII contains claims 118-122 and group IX contains claims 124-132. Applicants elect herein group I containing claims 1-8, 15-18 and 140-141

**DOCKET NO.: ISIS-3455**

**PATENT**

directed to methods for identifying compounds that modulate the activity of prokaryotic elongation factor p (efp).

Applicants submit that the present response is complete and complies with the requirements of 35 U.S.C. §121.

Respectfully submitted,



---

**Paul K. Legaard**

Registration No. 38,534

Date: **October 30, 2000**

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